

MEMO ENDORSED

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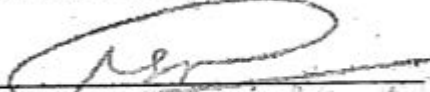
Memorandum Endorsement
United States v. Aaron Rosner
19-cr-497-3 (NSR)

The Court has reviewed Defendant Aaron Rosner's attached request for a temporary modification of his conditions of home confinement on supervised release. (ECF No. 849.) The Court hereby grants the following temporary modification of Defendant's conditions of home confinement on supervised release: Defendant is permitted to attend religious services during the Shavuuous religious holidays on May 25, 2023 from 8:30 p.m. to 10:30 p.m. and on May 26, 2023 from 10:30 a.m. to 3:00 p.m. Defendant is also permitted reasonable travel time to and from the services occurring in these time periods.

The Court notes that the Government does not oppose Defendant's request and that Probation defers to the Court's decision. The Clerk of the Court is kindly directed to terminate the motion at ECF No. 849.

Dated: May 17, 2023
White Plains, NY

SO ORDERED:


HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE



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May 17, 2023

VIA ECF

Hon. Nelson S. Roman
United States District Court Judge
Southern District of New York
300 Quarropas Street
White Plains, NY 10601

Re: *United States v. Aron Rosner*, 19-CR-497 (NSR)

Dear Judge Roman:

We write on behalf of defendant Aron Rosner to request a temporary modification of his conditions of home confinement on supervised release. We are reminded by the Court that home detention was imposed in lieu of incarceration and do not seek a broad exception to the home detention condition. We instead seek a narrow and temporary exception for specific religious purposes. *See United States v. Hernandez*, 209 F.Supp.3d 542 (E.D.N.Y. 2016) (Weinstein, J.) (vacating condition of supervised release curtailing defendant's ability to attend religious services in child pornography case because it was not "narrowly tailored to serve a compelling government interest" so as not to deprive a defendant of First Amendment right to religious observance).

We ask the Court to allow Mr. Rosner to attend religious services during the Shavuous religious holidays for more than one day per week. Specifically, he seeks to attend services at his local synagogue on the following dates and times during the religious holiday of Shavuous: May 25, 2023 (eve of Shavuous) from 8:30 p.m. to 10:30 p.m., and on May 26, 2023 (Shavuous) from 10:30 a.m. to 3 p.m. We also ask for reasonable travel time to and from services.

We have conferred with counsel for the government (AUSA Samuel Adelseberg), who does not oppose this request. The Probation Department defers this decision to the Court. If granted, Mr. Rosner will provide the specific location of the religious services to his supervising Probation Officer.

Respectfully submitted,

/s/ HEM
Henry E. Mazurek
Counsel for Defendant Aron Rosner

cc: Government Counsel (by ECF)